

HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

CIVIL REVISION PETITION No.5440 of 2015

ORDER:

This Revision is filed challenging the action of the Court below in entertaining E.P.No.236 of 2009 in O.S.No.284 of 1994 on the file of the Principal Junior Civil Judge at Kothagudem.

2. It is the contention of the learned counsel for petitioners that the suit schedule property is located in agency area and the Civil Court has no jurisdiction to entertain the suit or Execution Petition, and that there is a Second Appeal pending in this Court arising out of the judgment in the suit where the said issue about the jurisdiction is also urged.

3. Today, the said Second Appeal is rejected after considering the same on merits holding that the property in question is not located in agency area since the Mandal Revenue Officer, who is examined as D.W.3 in the suit, categorically stated that the suit schedule property was located in non-agency area. The other points urged by the learned counsel for petitioners in the Second Appeal were also rejected.

4. In this view of the matter, I see no merit in the Civil Revision Petition and it is accordingly dismissed. No costs.

5. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 21-02-2019

Vsv